

AARON D. FORD
Attorney General
CHARLES D HOPPER (Bar No. 6346)
Deputy Attorney General
State of Nevada
Office of the Attorney General
555 East Washington Ave., Ste. 3900
Las Vegas, NV 89101
(702) 486-3655 (phone)
(702) 486-3773 (fax)
Email: cdhopper@ag.nv.gov
Attorneys for Defendants
James Cox, James Dzurenda,
Dwight Neven, and Brian Williams

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THAD AUBERT,

Plaintiff,

vs.

JAMES DZURENDA, *et al.*,

Defendants.

Case No. 2:18-cv-01329-GMN-EJY

**DEFENDANTS' MOTION FOR AN
EXTENSION OF TIME TO FILE A
JOINT INTERIM STATUS REPORT
(FIRST REQUEST)**

Defendants, Director James Dzurenda (Director Dzurenda), Warden Brian Williams (Warden Williams), Warden Dwight Neven (Warden Neven) and James Cox (Cox), by and through Aaron D. Ford, Attorney General for the State of Nevada, and Charles D Hopper, Deputy Attorney General, request this Court grant a fourteen (14) day extension of time to file a joint interim status report.

This Court should grant Defendants' motion for an extension of time to file a Joint Interim Status Report. To date, Defendants have not received any information from Plaintiff regarding the estimated trial length or trial availability. Undersigned counsel is in the process of arranging a telephonic meeting as soon as possible to discuss this information. Accordingly, Defendants request a short extension to file the Joint Interim Status Report.

1 **I. BACKGROUND**

2 On December 19, 2019, this Court entered a discovery plan and scheduling
3 deadlines. (ECF No. 62). The Court ordered the parties to submit an Interim Status Report
4 on or before April 21, 2020. (*Id.*). To date, Plaintiff has not contacted undersigned counsel
5 to provide the necessary information or discuss the possibility of using the Short Trial
6 Program. See Declaration of Counsel, attached as Exhibit A. Accordingly, the undersigned
7 counsel is in the process of arranging a telephonic conference to discuss these issues as soon
8 as possible. *Id.* However, the conference cannot be completed before the April 21, 2020,
9 deadline.

10 **II. APPLICABLE LAW**

11 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), this Court may extend the
12 time to perform an act within a specific time for good cause shown.

13 **III. LEGAL ARGUMENT**

14 This Court should grant Defendants' motion to extend the deadline to file a Joint
15 Interim Status Report. To date, Plaintiff has not contacted undersigned counsel to prepare
16 a Joint Interim Status Report. Accordingly, undersigned counsel is in the process of
17 arranging a telephonic meeting as soon as possible to discuss the Joint Interim Status
18 Report. Good cause exists to extend the deadline based on the parties' inability to meet
19 concerning this filing. Defendants therefore request this Court grant the parties until May
20 5, 2020 to file a Joint Interim Status Report.

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1 IV. CONCLUSION

2 This Court should grant an extension of deadline to file a Joint Interim Status
3 Report. Counsel is diligently working to complete the Joint Interim Status Report, but has
4 been unable to do so.

5 DATED this 20th day of April, 2020.

6 AARON D. FORD
7 Attorney General

8 By: /s/ Charles D Hopper
9 CHARLES D HOPPER (Bar. No. 6346)
10 Deputy Attorney General
11 Attorneys for Defendants
12 James Cox, James Dzurenda,
13 Dwight Neven, and Brian Williams

14 IT IS SO ORDERED.

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16 UNITED STATES MAGISTRATE JUDGE

17 Dated: April 30, 2020
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